

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Grace Perry	Team: Team # 6	CCRB Case #: 201311533	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 08/15/2013 5:15 PM	Location of Incident: § 87(2)(b)	Precinct: 09	18 Mo. SOL 2/15/2015	EO SOL 2/15/2015	
Date/Time CV Reported Mon, 12/09/2013 3:38 PM	CV Reported At: CCRB	How CV Reported: In-person	Date/Time Received at CCRB Mon, 12/09/2013 3:38 PM		
Complainant/Victim	Type	Home Address			
Witness(es)	Home Address				
Subject Officer(s)	Shield	TaxID	Command		
1. SGT Frederic Ortiz	3659	935440	MTS PCT		
Witness Officer(s)	Shield No	Tax No	Cmd Name		
1. DT3 Rudy Lahens	02065	927364	NARCBMS		
2. DT3 Saed Rabah	07604	914919	NARCBMS		
Officer(s)	Allegation			Investigator Recommendation	
A.SGT Frederic Ortiz	Abuse: Det. Frederic Ortiz refused to provide his name and shield number to § 87(2)(b)				

Case Summary

On December 9, 2013, § 87(2)(b) filed this complaint in person at the CCRB (encl. 3A). This is the first CCRB complaint filed by § 87(2)(b) (encl. 2A). During her CCRB interview on that date, § 87(2)(b) agreed to mediate her complaint. On June 2, 2014, this case was sent to the mediation unit. However, on August 6, 2014, it was sent back to the undersigned, the subject officer rejected mediation (encl. 20A-N).

On December 9, 2013, § 87(2)(b) was interviewed at the CCRB (encl. 4A-E). At approximately 5:15 p.m. on August 15, 2013, Narcotics Borough Manhattan South executed a search warrant at § 87(2)(b) § 87(2)(b)'s mother, § 87(2)(b) was baby-sitting § 87(2)(b)'s daughter at the time the warrant was executed. § 87(2)(b) arrived on scene to pick up her daughter and interacted with an officer, identified as Det. Frederic Ortiz of Narcotics Borough Manhattan South. As Det. Ortiz escorted a handcuffed § 87(2)(b) out to a police van, § 87(2)(b) asked him, "Excuse me, sir, can I please have your name and your badge?" Det. Ortiz's shield was on his right hip. With his right hand, Det. Ortiz pulled his shirt down over his shield and said, "You don't know me, you don't know me from nowhere." (**Allegation A**). § 87(2)(b) was then issued a summons for § 87(2)(b) and was detained in the police van for approximately fifteen minutes while the summons was prepared. By the time § 87(2)(b) filed her complaint, she had paid her summons and no longer had a copy of it, and did not record the name or tax number of the summoning officer.

The investigation mailed § 87(2)(b) a letter on September 8, 2014. As of September 17, 2014, § 87(2)(b) has not responded. Additionally, on September 8, 2014, the investigation ran a Lexis Nexis search for § 87(2)(b)'s telephone number, which yielded positive results. However, a phone call to § 87(2)(b) on September 11, 2014 revealed that the number provided by Lexis Nexis was no longer in service. That same day, the undersigned called § 87(2)(b) to inquire about contacting her mother, and was unable to leave a voicemail. (This is in addition to the phone calls to § 87(2)(b) on February 26, 2014 and March 6, 2014 to arrange a photo array; § 87(2)(b) never returned the undersigned's contact attempts). On September 22, 2014, the undersigned called § 87(2)(b) § 87(2)(b)'s boyfriend, who was also arrested) phone number listed on his arrest report. However, his phone did not accept calls at this time and the undersigned was unable to leave a voicemail. As his listed home address was the same as § 87(2)(b), he was not mailed any additional letters. As such, the investigation was unable to obtain statements from § 87(2)(b) or § 87(2)(b).

§ 87(2)(g) § 87(2)(b) described the subject officer as a white or light-skinned Hispanic male who stood 5'10"-5'11" tall, with an average build, a shaved bald head, in his late 30s to early 40s in plainclothes. § 87(2)(g)

§ 87(2)(g)

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On September 17, 2014, Det. Ortiz was interviewed at the CCRB (encl. 6A-B). After the search warrant was executed, § 87(2)(b) and § 87(2)(b) were placed in the prisoner van, though Det. Ortiz did not handcuff or escort them and did not know who did. Det. Ortiz waited in the front passenger's seat of the van, and an unidentified officer (Det. Ortiz did not recall whom) sat in the driver's seat. § 87(2)(b) approached Det. Ortiz's window, banged on it, and

repeatedly said, “Open the fucking door, I want to speak to my mother.” Det. Ortiz rolled down the window and told § 87(2)(b) that her mother was a prisoner, and that he would not open the door. § 87(2)(b) continued to bang on the window and curse at Det. Ortiz. After about 45 seconds to a minute, Det. Ortiz exited the vehicle and handcuffed § 87(2)(b) as she was acting disorderly. Det. Ortiz radioed his supervisor, Lt. Courtien, and Lt. Courtien came outside to confer with Det. Ortiz. Lt. Courtien instructed Det. Ortiz to issue § 87(2)(b) a disorderly conduct summons, which he did. At no point during their interaction did § 87(2)(b) ask Det. Ortiz or any other officer for their name or shield number. Det. Ortiz had his shield around his neck, and it was exposed at the time of his interaction with § 87(2)(b). At no point did Det. Ortiz say “You don’t know me from nowhere” or anything similar to that. At no point did Det. Ortiz cover his shield with his hand, his shirt or attempt to obstruct it in any other way. Det. Ortiz wrote and issued § 87(2)(b) a § 87(2)(b) summons and released her on scene.

On August 13, 2014, Det. Rabah was interviewed at the CCRB (encl. 8A-B). Det. Rabah was assigned as the walk-on for this search warrant, and was outside the apartment in the hallway with § 87(2)(b) for the actual execution. He stated he had no interaction with § 87(2)(b) at the location, and did not recall any female present being summonsed for § 87(2)(b). Upon being shown a photograph of § 87(2)(b) he did not recognize her. At no point did § 87(2)(b) ask Det. Rabah for his name and shield number. Det. Rabah did not transport § 87(2)(b) or § 87(2)(b) to the 9th Precinct, nor did he play any role in the arrest processing.

On August 27, 2014, Det. Rudy Lahens was interviewed at the CCRB (encl. 10A-B). Det. Lahens was interviewed because § 87(2)(b) stated a black male officer issued her the summons. However, upon interviewing Det. Ortiz, the investigation determined that Det. Ortiz was the officer who issued the summons to § 87(2)(b). Regardless, Det. Lahens had no memory of interacting with § 87(2)(b) and his assignment appears to have changed from this search warrant to a separate assignment. Det. Lahens noted in his memo book that he was working with Lt. Jason Harris and Det. Edwin Feliciano (of Narcotics Borough Manhattan South), and had no recollection of executing a search warrant at § 87(2)(b), although he is listed on the tactical plan.

Det. Ortiz, a member of service for ten years, has no substantiated CCRB allegations against him (encl. 1A).

§ 87(2)(g)
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[REDACTED]
[REDACTED]
[REDACTED]
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[REDACTED]
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[REDACTED]
[REDACTED]

Team: _____

Investigator:	_____	_____	_____
	Signature	Print	Date

Supervisor:	_____	_____	_____
	Title/Signature	Print	Date

Reviewer:	_____	_____	_____
	Title/Signature	Print	Date

Reviewer:	_____	_____	_____
	Title/Signature	Print	Date